

REMARKS

Following entry of this amendment, claims 1-13 and 35-49 will be pending in this application. Claims 14-34 are canceled herein, and new claims 35-49 are added. Support for the new claims can be found throughout the specification and claims as filed, e.g., at page 25, lines 4-32 and original claims 1-13. The new claims are encompassed by the elected restriction group, so they should be examined with claims 1-13.

In the Office action mailed December 13, 2007, Tanox Inc. (WO 99/55735) was cited as allegedly anticipating claims 1-13 under 35 U.S.C. § 102(b). That rejection was addressed in applicants' reply filed June 12, 2008. Applicants now note for the record that Tanox does not anticipate any of the new claims 35-49, because the reference does not teach every element of the claim. Claims 35 and 48 each recite a cell that expresses both an antibody and a multimer-forming receptor. Tanox does not teach or suggest a method of screening for agonistic antibodies wherein both the antibody and the receptor are expressed by the same cell. Rather, Tanox describes in Example 7 assaying the agonistic activity of antibodies by adding hybridoma culture supernatant or purified antibodies to cells transfected with human G-CSF receptor. For at least the reason that Tanox does not teach the element of providing a cell that expresses both a multimer-forming receptor and a test antibody, applicants submit that the new claims are novel over Tanox.

Applicants submit that all of the pending claims are patentable and request early and favorable action thereon. If the Examiner feels it would further prosecution of the present case, he is invited to telephone the undersigned at 617-521-7020.

Applicant : Tetsuo Kojima et al.
Serial No. : 10/511,993
Filed : March 28, 2005
Page : 10 of 10

Attorney's Docket No.: 14875-135US1 / C1-A0204P-US

No fees are believed to be required. Please apply any required charges or credits to deposit account 06-1050, referencing Attorney Docket No. 14875-135US1.

Respectfully submitted,

Date: July 23, 2008

/RSMcQuade/

Ryan S. McQuade, Ph.D.
Reg. No. 61,358

Fish & Richardson P.C.
Customer No. 26161
Telephone: (617) 542-5070
Facsimile: (877) 769-7945